

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Adopted Rules

■ SENIOR SERVICES

The DEPARTMENT ON AGING adopted amendments to General Programming Requirements (89 IAC 220; 45 Ill Reg 1753) and Older Americans Act Programs (89 IAC 230; 45 Ill Reg 1764), effective 8/10/21, that update procedures for appealing adverse actions by DonA or an Area Agency on Aging (AAA), remove these procedures from Part 220 and move them to Part 230. Each local AAA must have written grievance processes for individuals to register complaints regarding services that are denied or terminated, or with which they are not satisfied. AAAs must also establish appeal processes for service providers whose applications to provide services are denied or whose existing contracts are terminated or not renewed. Individuals may appeal orally or in writing and an AAA has 30 days to respond. Decisions

COVID-19 ACTIONS

Executive Orders of the Governor concerning the COVID-19 public health emergency can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

Peremptory Rule, Page 2

made by an AAA can also be appealed to DonA. Additionally, an AAA can appeal to the Director of DonA when an area service plan or change to a service plan is rejected, or when DonA rejects an AAA's recommendation concerning a service provider. Since 1st Notice, DonA has clarified various aspects of the appeal and grievance processes.

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Proposed Rulemaking

■ PUBLIC HEALTH REPORTS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Health and Hazardous Substances Registry Code (77 IAC 840; 45 Ill Reg 10733) that update definitions, guidelines and materials; update references to ICD-10 codes for the Adverse Pregnancy Outcome Reporting System (APORS) and Occupational Disease Registries (ODR); and add conditions and variables to be reported to the Department for APORS, which tracks instances of maternal, fetal and infant death, injury or potential injury. Conditions that must be reported to APORS include prenatal exposure to HIV and positive toxicology tests or other evidence of prenatal exposure to controlled substances. DPH will release ODR data for fatal and non-fatal occupational injuries in

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ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Adopted Rules

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Those affected by these rulemakings include Area Agencies on Aging, their service providers and their customers. DonA also repealed the Part titled Introduction (89 IAC 210; 45 Ill Reg 2315) effective 8/10/21, because it had not been amended since its adoption in 1981 and the definitions and procedures it

contained were no longer applicable to DonA's current procedures.

Questions/requests for copies of the 3 DonA rulemakings: James Shovlin, DonA, One Natural Resources Way, Suite 100, Springfield IL 62702-1271, 217/524-7945, Aging.Rulemaking@illinois.gov

Proposed Rulemaking

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aggregate form, with a minimum of 3 incidents, that have been approved by the federal Bureau of Labor Statistics (BLS). Data specific to a patient or employer are confidential and shall not be disclosed unless requested by BLS. ODR will release an annual report that will include the aggregate data collected for that year on the DPH website. Those affected by this rulemaking include health care providers and laboratories that report to APORS or the ODR.

Questions/requests for copies/ comments through 10/12/21: Tracey Trigillo, DPH, 524 S. 2nd Street, 6th Floor, Springfield, IL 62701, (217)782-1159, dph.rules@illinois.gov

Peremptory Rule

STUDENT ASSISTANCE

The ILLINOIS STUDENT ASSISTANCE COMMISSION adopted a peremptory amendment to the Part titled General Provisions (23 IAC 2700; 45 Ill Reg 10794) effective 8/16/21, implementing the U.S. Department of Education's repeal of 34 CFR 668, which formerly required male students under age 26 to be registered with Selective

Service in order to receive federal student aid. The peremptory rule removes the Selective Service registration requirement from ISAC's rules regarding student assistance.

Questions/requests for copies: Jackie Eckley, ISAC, 500 W. Monroe, 3rd floor, Springfield, IL 62704, 217/782-5161, jackie.eckley@illinois.gov

Second Notice

The following rulemaking was moved to Second Notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will be listed in next week's *Illinois Register* and considered at the September 14, 2021 JCAR meeting in Chicago. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning this rulemaking should be addressed to JCAR using the contact information on page 1.

DEPT OF HUMAN SERVICES

Temporary Assistance for Needy Families (89 IAC 112; 45 Ill Reg 7574) proposed 6/25/21